



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

LCC:ddj

Docket No: 1482-00

10 April 2000

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

[REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments

(2) Series of Documents

(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show Petitioner is entitled to the benefits of a Do-It-Yourself (DITY) move.

2. The Board, consisting of Ms. Madison, McCormick, and Mr. Molzahn, reviewed Petitioner's allegations of error and injustice on 4 April 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. After reviewing the correspondence attached as enclosure (2), the Board concluded that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

**RECOMMENDATION:**

That Petitioner's naval record be corrected, where appropriate, to show that:

a. The Incentive payment will be based on a constructive weight allowance of 5,000. Petitioner used a 24' ryder truck which has a weight capacity of 9,300 pounds but Petitioner will be paid based on 5,000 pounds since that is what he is entitled to ship at government expense as authorized in the Joint Federal Travel Regulations.

b. The Petitioner will be reimbursed for gas by obtaining the official distance from Camp Pendleton, CA, his last duty station, to Irvine, CA, Petitioner's Home of Record, and using an average of nine (9) miles per gallon at a cost of \$1.25 per gallon.


c. Petitioner will be reimbursed for a cost \$234.80 for the cost of the rental truck for moving his HHGs under the DITY Program.

d. MCLB, Albany GA will use this action to liquidate Petitioner's outstanding advance he was paid in operating allowance for his DITY move from Oceanside, CA to Irvine, CA.

e. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

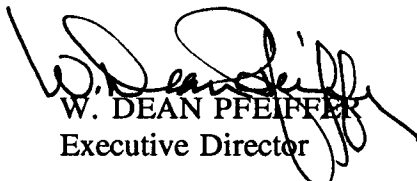
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
G. L. ADAMS  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

10 April 2000

  
W. DEAN PFEIFFER  
Executive Director